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GENERAL COUNSEL SOUTHWESTERN POWER ADMIN.

August 24, 2016

Martha Ayers
FOIA/Privacy Act Officer
Southwestern Power Administration
One West 3<sup>rd</sup> Street
Suite 1600
Tulsa, OK 74103

**Re: FOIA REQUEST** 

Dear Ms. Ayers:

Pursuant to the Freedom of Information Act (FOIA), as amended, 5 U.S.C. § 552, and governing FOIA regulations at 10 C.F.R. Part 1004, Van Ness Feldman, LLP, on behalf of Clean Line Energy Partners LLC and its affiliates<sup>1</sup> (collectively, Clean Line Energy), hereby requests the production of the following information and records:

- 1. Any FOIA requests that have been filed with the Southwestern since June 1, 2015 regarding:
  - (i) review of the Plains & Eastern Clean Line Transmission Project<sup>2</sup> under Section 1222 of the Energy Policy Act of 2005, 42 U.S.C. § 16421;
  - (ii) development or issuance of the Record of Decision in re Application of Clean Line Energy Partners LLC, 81 Fed. Reg. 186022 (Mar. 31, 2016); or
  - (iii) reviews or analyses of the Plains & Eastern Clean Line Transmission Project undertaken pursuant to NEPA, the Endangered Species Act and the National Historic Preservation Act.

Affiliates of Clean Line Energy Partners LLC include: Plains and Eastern Clean Line LLC; Plains and Eastern Clean Line Oklahoma LLC; Plains and Eastern Clean Line Holdings LLC; Arkansas Clean Line LLC; and Oklahoma Land Acquisition Company LLC.

<sup>&</sup>lt;sup>2</sup> The "Plains & Eastern Clean Line Transmission Project" is a proposed project to construct overhead, high-voltage direct current (HVDC) electric transmission facilities and related facilities from western Oklahoma to the eastern state-line of Arkansas near the Mississippi River which was the subject of a Final Environmental Impact Study issued on November 4, 2015 and for which the Southwestern served as a cooperating agency in the conduct of such review under the National Environmental Policy Act (NEPA).

## Van Ness Feldman

- 2. Any FOIA request that has been filed with Southwestern since January 1, 2012 regarding the Plains & Eastern Clean Line Transmission Project or Clean Line Energy.
- 3. Any FOIA requests that have been filed with the Southwestern since January 1, 2012 by:
  - (i) a Mr. Jordan Wimpy, either in his individual or in a representative capacity;
  - (ii) a Mr. Joel Dyer, either in his individual or in a representative capacity;
  - (iii) Downwind LLC; or
  - (iv) Golden Bridge, LLC.
- 4. Copies of all FOIA responses (including, but not limited to, documents, letters, emails, communications, memoranda, forms, and maps) released or provided by Southwestern in response to:
  - (i) any FOIA requests described in items 1 through 3, above;

and

(ii) FOIA Request No. Southwestern-2014-01767-F.

Clean Line agrees to pay all reasonable duplication and search fees for the processing of this request. Please send all responsive records to the following address:

Joseph Nelson Van Ness Feldman, LLP 1050 Thomas Jefferson Street, NW Seventh Floor Washington, DC 20007 jbn@vnf.com

To the extent possible, we would request that copies of electronically available documents be transmitted by both email and hard copy to the address noted above.

Please respond to this request within 20 workdays, as provided by law. If this request is denied in whole or in part, please provide a detailed justification for withholding the records. If certain portions of the requested records are determined to be exempt from disclosure, please provide any segregable portions that are determined not to be so



exempt. We reserve our right to appeal any decision to withhold requested information, in accordance with the procedures provided by law.

If you have any questions regarding the processing of this request, please contact me by telephone at (202) 298-1894 or by email at jbn@vnf.com.

Thank you in advance for your prompt attention to this matter.

Sincerely,

Joseph Nelson

Counsel for Clean Line Energy Partners LLC